11 AUG 1956

Village Panchayats

in

Madras State

ISSUED BY
THE DIRECTOR OF INFORMATION AND PUBLICITY
GOVERNMENT OF MADRAS

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VILLAGE PANCHAYATS IN MADRAS STATE.

From ancient times the village panchayat system was an integral part of community life and administration; in South India particularly it had its roots in the hoary past and played an important part in the integration and development of village life. Village panchayats played a notable part in preventing the social and economic disintegration of the country in the face of the successive waves of foreign invasion which surged through the land until the 18th century. Wars were fought, military expeditions took place, invaders came and went, empires rose and fell, but through all these convulsions and disturbances if the villages had continued to pursue their even tenor of life it was in no small measure due to the village panchayat, which, along with other social factors, kept the village together and prevented it from going to pieces. The point is that the panchayat of old functioned like a local representative Government with a welfare ideal and so long as it discharged its duties efficiently which invariably it did—it served the purpose of a steel frame within which the village stood four square against all external forces of disintegration.

These panchayats also prove another important fact. It is a familiar charge that the East has little or no democratic tradition. The ancient panchayats give the lie direct to this charge. Their basis was democratic and their method of work was also democratic. Everybody in the village had his part to play and even when the majority decided upon a particular issue they saw to it that they carried also the minority with them in the implementation of their decision. This is the most remarkable thing about the village panchayats of old. No doubt, conditions in those days were favourable for such a development. There were no village factions, no communal ill-feeling, no religious animosity in short most of the divisive factors which tend to disfigure village life at the present day were completely absent.

After the advent of British power, however, village panchayats gradually lost their strength and importance. The centralizing policy of the foreign rulers virtually tended to relegate the village panchayats to the background. The

Britishers naturally viewed with mis-givings local autonomous institutions like panchayats which they feared would in course of time prove a source of threat to the stability of their rule. They therefore axed all such possible sources of threat and naturally the panchayats were among the earliest to suffer.

Thus the panchayats gradually disappeared. In course of time however the British rulers realized the usefulness of village panchayats, and local representative institutions in which local people were given a hand in the management of affairs. After the 1857 rising, the British Administration turned their thoughts to a scheme of evolving a machinery by which they sought to achieve a limited participation of the people in the administration of the country. It was left to Lord Ripon to give practical shape to this scheme and to him goes the credit for placing on the statute book the first Madras Local Board legislation on the subject, viz., the Act of 1884.

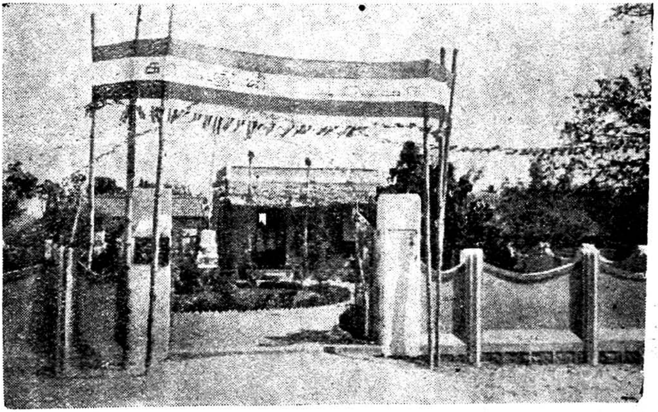
Early beginnings of Local Self-Government.

Under the Madras Local Boards Act, 1884, District Boards, Taluk Boards and Union Boards were first constituted. The Union Boards were for semi-urban areas.

The next milestone was marked by the report of the Royal Commission on Decentralization. The report recommended the relaxation of Government control over the panchayats and stabilization of their finances. Following this the Government of India issued a resolution in 1915 commending to the Local Governments the constitution of village panchayats for the administration of local affairs. Accordingly informal panchayats were constituted in the State and at the end of 1918 there were about 1,010 panchayats in the Madras Presidency. Panchayats were constituted in individual revenue villages and were administrative and communal bodies working on a voluntary basis with all the freedom of adaptation to the local circumstances of each village. The results achieved were not, however, satisfactory. Side by side with the informal panchayats there were also statutory unions constituted for larger villages and groups of villages under the Madras Local Boards Act, 1884, mainly for the purpose of dealing with village roads, sanitation and lighting. Their affairs were administered by a nominted body of members. In 1915, there were nearly 400 such unions. The Royal Commission

on Decentralization which went into the problem of Local Administration however wanted panchayats of rural character to be established throughout the State. Panchayats of semi urban character were to be administered as small scale municipalites. It must however be pointed out here that the panchayats established by the Government had no legal foundation and this proved a serious handicap in their proper working. So the Government decided to place panchayats on a statutory basis. They therefore enacted the Madras Village Panchayat Act which came into force in 1920. The first Board under the Act was constituted in March, 1922. In 1930 when the Act was repealed there were about 3,000 panchayats in the Madras Province.

In rural areas, panchayats and unions were discharging more or less similar functions under different Acts. This proved an anomalous position. The Government also felt that the time had come to adopt a uniform system of local Government throughout the State. The result was the repeal of the Madras Village Panchayat Act. In 1930, the panchayats were brought within the scope of the Madras Local Boards Act, 1920.

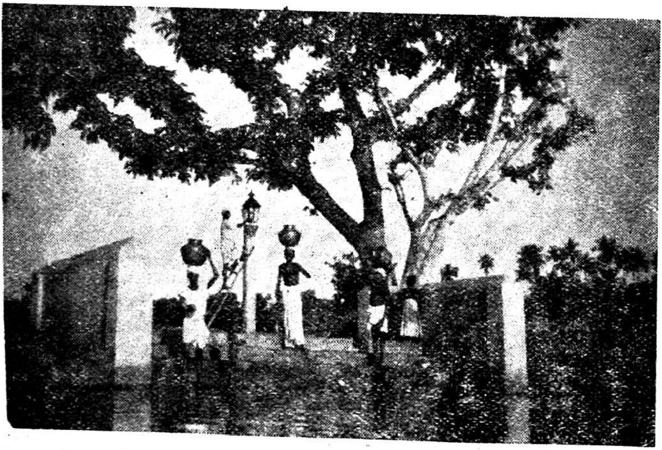


Parks are described as lungs of cities. They are equally so in crowded villages. The above photograph is that of Gandhi park and a panchayat office building in Tiruchirappalli district recently opened by the Chief Minister.

Though panchayats were brought within the purview of the Madras Local Boards Act, the difference between the boards and unions was allowed to continue for some years. In 1937 however this difference was done away with and panchayats were brought under the same system of administration for all purposes and simply classified as ' major ' and ' minor ' for audit purposes.

The Government then directed its attention to improve the efficiency of panchayat administration. To this end the Madras Local Boards Act was amended in 1943 to provide for the appointment of Executive Officers for such panchayats as were notified by Government. The panchayats have been divided into four categories for purposes of appointment of executive officers, viz., selection grade, grade I, grade II and grade III, with reference to their income. There are at present in the Madras State 307 notified panchayats of which 10 are in selection grade, 75 in the first grade, 104 in the second grade and 118 in the third grade.

Under the old Madras Local Boards Act, 1920, panchayats were under the control on the one hand of the district boards and on the other of the Inspector of Municipal Councils and



Many panchayats have launched various amenities. The stone-steps in the above photograph have been constructed by a village Panchayat.

Local Boards. This dual control militated against efficient functioning. The Madras Village Panchayats Act of 1946 was therefore enacted during the Adviser's regime, releasing village panchayats from this dual control and placing them in charge of the District Collectors and a Registrar-General of Panchayats. This Act was, however, allowed to lapse in April 1948, and in its place the Madras Village Panchayats Act, 1950 (Act X of 1950) was enacted, conferring large powers on panchayats, vesting the Inspector of Municipal Councils and Local Boards with control and supervision over them and limiting the control of District Collectors to certain emergency powers. This Act was brought into force on 1st April 1951.

A new era.

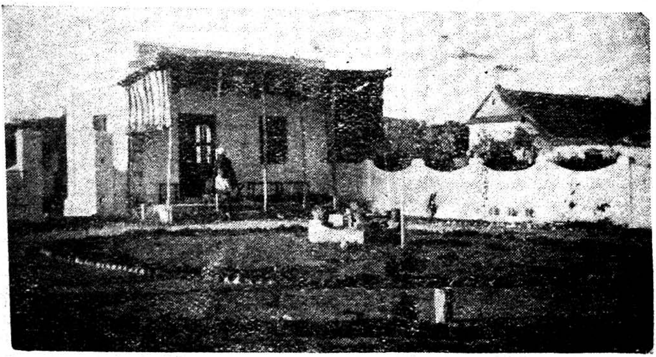
With the enactment of the Madras Village Panchayats Act, 1950, a new era was ushered in, in panchayat administration. The fundamental objective of this Act is to make panchayats dynamic organizations to enable them to serve as nurseries of democracy. Under this Act a panchayat is to be constituted for every village with a population of 500 and above. A village with a population of less then 500 is

Another amenity—the installation of a Community Radio set.

included within the jurisdiction of an adjoining panchayat or grouped with other contiguous villages and a single panchayat formed for the group. The panchayat under the new Act is divided into wards to ensure adequate representation for all parts of the village, due provision being made for the members of the Scheduled Castes. Panchayats with a population of not less than 5,000 and with an estimated annual income of not less than rupees ten thousand are classified as Class I panchayats and the rest are Class II panchayats. The strength of a panchayat ranges from 5 to 15 members according to population. Elections to Class I panchayats are conducted under the secret ballot system on the basis of Legislative Assembly Electoral Rolls prepared under the Adult Franchise System. Elections to Class II panchayats are conducted under the system of open voting by show of hands. The President is elected directly by the whole electorate and the vice-president is elected from among the members.

Administration of panchayats.

The panchayats are under the administrative control of the Inspector of Municipal Councils and Local Boards. He is the link between the Government and the Local Bodies in the State. He is assisted by three Regional Inspectors who are respectively incharge of three ranges, consisting of 3 to 5 districts. The headquarter of these Regional Officers are at Tiruchirappalli, Coimbatore and Chingleput.

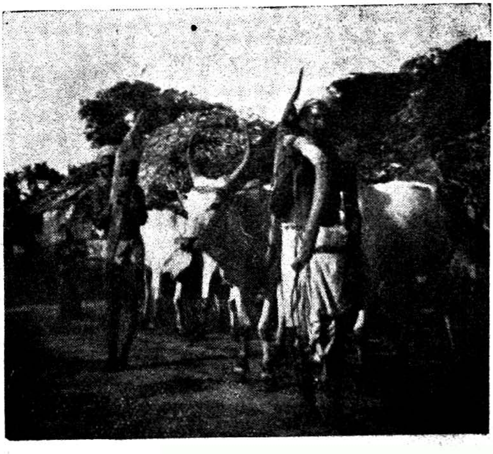


Park and Office building of a Panchayat.

There are District Panchayat Officers in 12 out of 13 districts, there being none for the Nilgiris due to the small number of panchayats. There are also Additional District Panchayat Officers in 11 districts. They are assisted by Deputy Panchayat Officers. There are 97 Deputy Panchayat Officers and they are mainly responsible for the proper functioning of all Class II panchayats in their jurisdiction.

The financial transactions of panchayats are under the control of the Local Fund Audit Department. At State level there is an Examiner of Local Fund Accounts assisted by two Assistant Examiners stationed at Tiruchirappalli and Salem respectively. In all districts except the Nilgiris, the department has a District Inspector of Local Fund Accounts. This department conducts the annual audit of the accounts of all Class I panchayats, i.e., panchayats with an income of not less than Rs. 10,000 and a population of not less than 5,000. Any defects or irregularities detected are brought to the notice of the Inspector of Municipal Councils and Local Boards for suitable action. In the case of all other panchayats, the accounts are audited by the Deputy Panchayat Officers concerned, under the supervision of District Panchayat Officers.

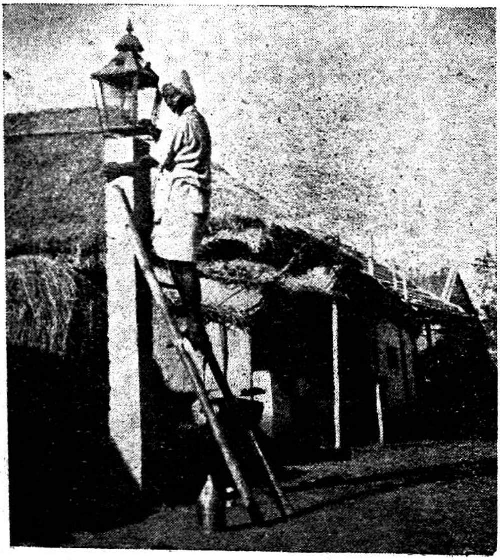
There is also the District Panchayat Supervisor who works under the District Panchayat Officer at the headquarters of



A rural farm house.

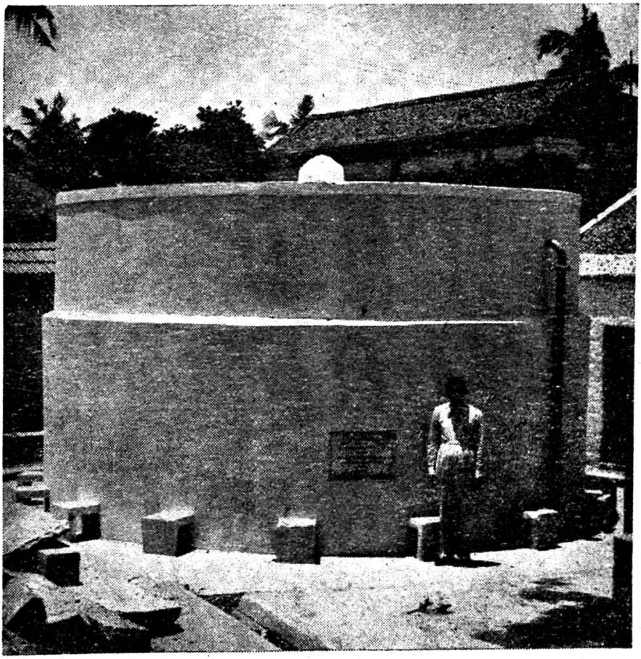
the district, and who is responsible for preparing estimates for all panchayat works. He will also supervise works under execution, measure works done and in general, advise panchayats in respect of works to be done in the village. The supervisor is assisted by an overseer.

The two most important factors in public administration are men and machinery. The first is obviously more important than the second. Men of the right type are necessary for the success of any administrative venture. So also in the case of panchayats. The panchayats and their Executive Authorities are educated in their work by means of instructions issued by the Government and the Inspector of Municipal Councils and Local Boards and through periodical conferences of presidents. A *Panchayat Journal* is also published monthly in English and in the languages, Tamil, Kannada, Malayalam containing instructions and rules issued by the Government and the Inspector and supplied free of cost to panchayats, and Panchayat Officers for their guidance.



Important roads in village limits are provided with lights by Panchayats.

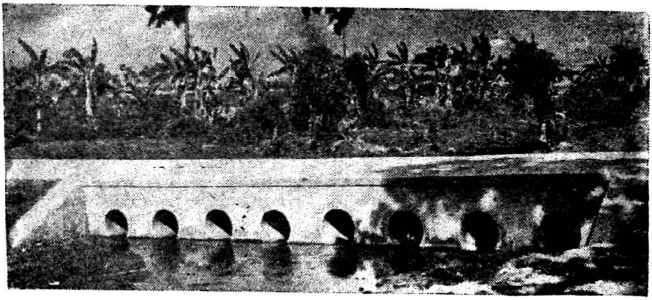
There are 297 Class I panchayats and 5694 Class II panchayats in this State up to the end of 1954–55. Almost all the Class I panchayats have full-time paid Executive Officers and for the rest the officers will be appointed soon. The Executive Officers are responsible for the execution of the policies and programmes laid down by the panchayat. The clear demarcation of the spheres of the Executive Officer and the president and members of the panchayat has contributed much to tone up panchayat administration and to keep it clear of mutual bickerings and individual animosities that so often had marred panchayat administration in the past.



A view of the overhead tank constructed in a panchayat area in Salem district. The capacity of the tank is 6,000 gallons and the estimated cost is Rs. 10,000.

Resources of panchayats.

There is provision for the compulsory levy of house tax, profession tax, and vehicle tax and also for the levy of special optional taxes as may be necessary for specific purposes. The house tax is levied either on the basis of the annual or capital value of the building or the plinth area thereof, subject to a maximum and minimum rates prescribed by Government. The profession tax is levied on the outturn of any business or calling of a person within the panchayat area, subject to a maximum of Rs. 125 per half year. The vehicle tax is levied on all vehicles kept or used within the panchayat area for a specified period subject to the maximum and minimum rates prescribed. The panchayats are advised to make exemption in deserving cases. The collection of tax can be entrusted to the village headman on a small commission, if the panchayat does not employ any staff of its own for the purpose. The entertainment tax, surcharge on stamp duty and licence fees considerably augment the revenue of the panchayats. Panchayats also get teaching grant for elementary schools maintained by them, grants for works, and subsidy towards the dearness allowance of their staff, if the panchayat is in deficit. Thus the panchayats are now financially better off. The authority of the panchayats has also been extended. All public tanks and porambokes vest in them and they can also take over irrigation functions, trust properties, etc., subject to certain restrictions. They may open and maintain markets, bus stands, cart stands, slaughter houses



A Causeway in Coimbatore district constructed on half grant basis by a Panchayat.

and the like. They are also empowered to exercise civil and criminal powers in the village as panchayat courts subject to monetary and other limits prescribed.

In the Community Project areas the panchayats receive added assistance. Several useful public works such as the laying out of roads, construction of school buildings and community halls, provision of drinking water wells or protected water-supply, irrigation facilities for ryots, supply of implements, etc., are all achieved under the scheme with economy and efficiency. The village or the panchayat has to contribute only a portion of the total cost of the improvements carried out. Acquisition cf lands and preparation of estimates which take an unduly long time for the panchayats are pushed through with expedition. The panchayats are also given the opportunity to execute the works themselves and this results in savings that could be set off against their contribution.

Panchayats—their functions.

Panchayats assist the State Government in the enforcement of the following Acts :—

The places of Public Resort Act, 1888, the Madras Registration of Births and Deaths Act, 1899, the Indian Registration Act, 1908, the Madras Town-Planning Act, 1920, the Madras Village Courts Act, 1888, the Madras Public Health Act, 1939, the Town Nuisance Act, 1889 and the Madras Prevention of Adulteration Act, 1918.

Panchayats are not entrusted with the collection of taxes payable to the State Government except the collection of library cess which is collected as surchage on house tax and paid to the local library authority.

Since 1st April 1951 Village Panchayats have been functioning also as Panchayat Courts under the Madras Village Panchayats Act, 1888, and they exercise the civil and criminal powers according to the provisions of the Madras Village Courts Act, 1888, their civil jurisdiction being raised to one hundred rupees. A statement showing the number of Panchayat Courts and the number of suits disposed of by the Panchayat Courts during the year 1953 is given in Annexure I.

The executive authority of any panchayat may also be authorized by the Inspector-General of Registration to exercise the powers and discharge the duties of a Sub-Registrar

under the Indian Registration Act, 1908, in respect of (*a*) all or any documents which are exempt from stamp duty and registration fees, (*b*) all or any documents which are classified by rules made under the Madras Village Panchayats Act, 1950, as documents of an ephemeral nature. So far no executive officer has been vested with these powers.

The panchayats have a number of obligatory functions of a civic nature and some of them are detailed below :—

(*a*) Construction, repair and maintenance of all public roads in the village (other than district roads and roads which are classified by the Government as National and State Highways) and of all bridges, culverts, road-dams and causeways on such roads. The minimum expenditure fixed for communications is 20 per cent of the nominal income.

(*b*) The lighting of public roads and public places. The maximum expenditure fixed is 15 per cent of the nominal income.

(*c*) The construction of drains and the disposal of drainage water and sullage.

(*d*) The cleansing of streets, the removal of the rubbish heaps, jungle growth and prickly-pear, the filling in of disused wells, insanitary ponds, ditches, pits or hollows and other improvements relating to the sanitary condition of the village. The maximum expenditure fixed for Public Health is 30 per cent of the nominal income.

(*e*) The provision of public latrines and arrangements to cleanse latrines, whether public or private.

(*f*) The opening and maintenance of burial and burning grounds.

(*g*) The sinking and repairing of wells, the excavation, repair and maintenance of ponds or tanks and the construction and maintenance of water-works for the supply of water for washing and bathing purposes and of protected water for drinking purposes. The minimum expenditure is 10 per cent of the nominal income.

(*h*) Preventive and remedial measures connected with any epidemic, or with malaria.

The panchayats are also to attend to the following functions of a civic nature to the extent possible at their discretion :—

(*a*) Planting and preservation of trees on the sides of public roads in the village, not being district roads or roads classified by the Government as National or State Highways.

(*b*) Opening and maintenance of public markets, other than markets which are classified as district markets.

(*c*) Control of fairs and festivals, other than those classified as district fairs and festivals.

(*d*) Opening and maintenance of public landing places, halting places and cart-stands and of public cattle-sheds.

(*e*) Opening and maintenance of public slaughter-houses.

(*f*) Establishment and maintenance of choultries other than those classified as district choultries.

(*g*) Extension of village sites and regulation of buildings.

(*h*) Registration of births and deaths.

(*i*) Improvement of agriculture and agricultural stock and the holding of agricultural shows.

(*j*) Promotion and encouragement of cottage industries.

(*k*) Opening and maintenance of elementary schools.

(*l*) Opening and maintenance of reading rooms and libraries which are not classified as district libraries.

(*m*) Establishment and maintenance of wireless receiving sets, play-grounds, sports clubs and centres of physical culture.

(*n*) Establishment and maintenance of maternity dispensaries and payment of subsidies to rural medical practitioners.

(*o*) Establishment and maintenance of maternity and child-welfare centres.

(*p*) Veterinary relief.

(*q*) Other measures of public utility calculated to promote the safety, health, comfort or convenience of the inhabitants of the village.

Two or more panchayats may establish and maintain common dispensaries, child-welfare centres, etc.

All unreserved forests in the village vest in the panchayats with effect from 1st April 1951 and are administered by the panchayats for the benefit of the villages.

The Board of Revenue may entrust to panchayats the management and superintendence of any charitable endowment.

The Government may entrust to panchayats work connected with irrigation.

The panchayats can execute kudimaramath work also. They may levy an annual fee on all the registered holders of lands at such rates per acre as the District Collector may determine.

The panchayats maintain in all 1,025 elementary schools with 2,055 teachers with the aid of Government grants. Every year grants are paid to the extent of about Rs. 10,00,000 for these schools. These schools are periodically inspected by the officers of the Education Department. The working of these schools is generally satisfactory.

Adult schools are also maintained by some panchayats. The institutions run by panchayats are accessible to all communities.

Almost all class I panchayats maintain radios and reading rooms and some of them have libraries and parks also. Certain panchayats also maintain stud bulls for the improvement of livestock.

A statement showing the number of class I and class II panchayats as on 1st January 1955, the population served by panchayats and the population still to be served by panchayats is given in Annexure II.

The panchayats have come to stay. In reviving them the Government have brought back to life, a historic organization with an illustrious past which in the days of old did yeoman service to the masses primarily by assisting the conservation of the village as an institution. Times have changed vastly since then. The political, economic and social conditions have passed through a metamorphosis; still the potentialities of the panchayats are there unimpaired by the lapse of centuries or the development of new factors or conditions. In a democratic set-up they have an increasingly important

part to play; all the same their usefulness is conditional upon one factor, namely, the people whose interest they seek to serve. The value of any institution depends primarily on the human factor; if the people are indifferent, the institution deteriorates. It is therefore very important that the people should feel that they have a vital role to play in making panchayats a success. A clear realization of the manifold benefits which a well-run panchayat can confer upon the people, will certainly serve to stimulate a concerted endeavour on their part to tap the potentialities of the panchayats to the fullest extent and thus serve their own interests as well as the interests of the country at large.

ANNEXURE I.

PANCHAYAT COURTS (1953).

District.	Number of panchayat courts.	Number of courts that exercised jurisdiction.	Number of suits for disposal.	Number disposed.	Number pending.	Percentage of pending cases to number for disposal.
(1)	(2)	(3)	(4)	(5)	(6)	(7)
North Arcot	302	268	3,273	2,627	646	19·7
South Arcot	228	126	2,326	1,989	367	16·0
Chingleput	100	100	3,286	2,765	521	15·8
Coimbatore	883	297	2,615	2,082	533	20·0
South Kanara	246	162	2,013	1,146	867	43·0
Madurai	343	343	1,253	1,145	108	8·6
Malabar	190	190	4,896	4,060	826	17·0
The Nilgiris	35	35	2,315	1,729	526	23·0
Ramanathapuram ..	168	48	1,444	1,172	262	18·1
Salem	67	..	1,284	1,145	139	11·0
Tanjore	765	432	5,466	4,179	1,281	23·4
Tiruchirappalli	110	109	5,050	3,929	1,121	22·2
Tirunelveli	99	72	3,847	3,409	438	12·0

ANNEXURE II.

STATEMENT SHOWING THE NUMBER OF CLASS I AND CLASS II PANCHAYATS, POPULATION SERVED AND YET TO BE SERVED BY PANCHAYATS AS ON 1ST JANUARY 1955.

Serial number and name of district.	*Number of panchayats.*		*Population served by panchayats.*	*Population yet to be served by panchayats.*
	Class I.	*Class II.*		
1 North Arcot ..	19	932	1,853,991	727,898
2 South Arcot ..	17	352	869,308	1,738,308
3 Chingleput ..	14	376	771,772	806,677
4 Coimbatore ..	33	320	1,598,453	1,239,855
5 South Kanara ..	7	305	1,080,061	530,496
6 Madurai ..	26	320	1,172,701	1,116,535
7 Malabar ..	31	131	1,555,777	2,861,985
8 The Nilgiris ..	6	29	225,679	20,778
9 Ramanathapuram.	24	206	645,004	1,152,239
10 Salem	35	579	1,661,140	1,485,169
11 Tanjore ..	23	689	1,541,297	1,090,639
12 Tiruchirappalli.	22	457	1,395,975	1,205,602
13 Tirunelveli ..	37	178	991,697	1,204,265
Total ..	294	4,874	15,363,955	15,179,246

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